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Counsel for Defendant Eduardo Subirats

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

| | | |
|---------------------------|---|-----------------------------|
| UNITED STATES OF AMERICA, |) | No. CR 07-00788 JF |
| |) | |
| Plaintiff, |) | STIPULATION TO CONTINUE |
| |) | STATUS DATE AND TO WAIVE |
| vs. |) | PRESENCE OF DEFENDANTS; |
| |) | [PROPOSED] ORDER |
| |) | |
| AMIT EZYONI, et.al. |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

It is hereby stipulated between the United States of America, by and through Assistant United States Attorneys Jeffrey D. Nedrow, and defendants Asaf Nass, Limor Gefen, Daniel Rangel, Randy Goldberg, Brandi Aycock, David Lamondin, Stuart Sheinfeld, Christopher Sariol, and Eduardo Subirats, by and through their respective defense counsel, that the status date of March 31, 2010, be continued to April 22, 2010, at 9:00 a.m.

The reason for this continuance is that government counsel is finalizing the production of the last shipment of electronic discovery, and needs an additional month to finish the production. The government has already provided two sets of discovery to defense counsel in electronic format. Therefore the ends of justice served by such a continuance outweigh the best interest of the public and the defendants in a Speedy Trial within the meaning of Title 18 U.S.C. §3161(h)(8)(A).

STIP AND ~~[PROPOSED]~~ ORDER

1 The parties stipulate that the time between March 31, 2010, and April 22, 2010, shall be
 2 excluded from the period of time within which trial must commence under the Speedy Trial Act, 18
 3 U.S.C. § 3161 et seq., pursuant to Title 18, United States Code, Section 3161(h)(8)(A), considering
 4 the factors set forth in Section 3161(h)(8)(B). As required by 18 U.S.C. §3161 (h)(8)(B)(iv), it is
 5 stipulated that the ends of justice outweigh the best interest of the public and the defendant in a
 6 speedy trial and the denial of the stipulation to continue the status hearing would unreasonably deny
 7 the defendants reasonable time necessary for effective preparation of the pretrial motions and
 8 defense, taking into account the exercise of due diligence, and would deny the defendant continuity
 9 of counsel. 18 U.S.C. §3161(h)(8)(B)(iv).

10 Because the next appearance is a status date, it is respectfully requested that the presence of
 11 the defendants be excused.

12 It is so stipulated.

13 Dated: March 23, 2010

Respectfully submitted,

14 /s/ Vicki H. Young
 15 VICKI H. YOUNG, ESQ.
 16 Attorney for Eduardo Subirats

17 Dated: March 23, 2010

/s/ Edwin K. Prather
 18 EDWIN K. PRATHER, ESQ.
 19 Attorney for Asaf Nass

20 Dated: March 23, 2010

/s/ Garrick S. Lew
 21 GARRICK S. LEW, ESQ.
 22 Attorney for Limor Gefen

23 Dated: March 23, 2010

/s/ Mark Eibert
 24 MARK EIBERT, ESQ.
 25 Attorney for Daniel Rangel

26 Dated: March 23, 2010

/s/ Sam Rabin
 SAM RABIN, ESQ.
 Attorney for Randy Goldberg

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Dated: March 23, 2010

/s/ Ronald Gainor
RONALD GAINOR, ESQ.
Attorney for Brandi Aycock

Dated: March 23, 2010

/s/ Mark Arnold
MARK A. ARNOLD, ESQ.
Attorney for David Lamondin

Dated: March 23, 2010

/s/ Hugh Levine
HUGH A. LEVINE, ESQ.
Attorney for Stuart Sheinfeld

Dated: March 23, 2010

/s/ Lara Vinnard
AFPD LARA VINNARD
Attorney for Christopher Sariol

Dated: March 23, 2010

JOSEPH P. RUSSIONIELLO
UNITED STATES ATTORNEY

/s/ Jeffrey D. Nedrow
JEFFREY D. NEDROW
Assistant United States Attorney

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMIT EZYONI, et.al.,

Defendants.

CR No.: CR 07-00788 JF

~~[PROPOSED]~~ ORDER FOR
CONTINUANCE OF
STATUS DATE AND
WAIVER OF DEFENDANTS'
APPEARANCES

FOR THE REASONS SET FORTH ABOVE IN THE STIPULATION BETWEEN THE PARTIES, IT IS HEREBY ORDERED that the status date of March 31, 2010, is continued to April 22, 2010, at 9:00 a.m.

The Court finds the time between March 31, 2010, and April 22, 2010, is excludable from the Speedy Trial Act requirements of Title 18, United States Code, Section 3161 pursuant to Title 18, United States Code, Sections 3161(h)(8)(A) and 3161(h)(8)(B)(iv). The parties agree that the time is excludable in that the ends of justice served by granting this continuance outweigh the best interests of the public and the defendant in an earlier trial specifically based on the efforts of government counsel to make arrangements to provide electronic copies of the voluminous discovery to defense counsel. For these reasons, there is good cause for the continuance and failure to grant the continuance would unreasonably deny the government and the defendants reasonable time necessary for effective case preparation taking into account the exercise of due diligence under 18 U.S.C. 3161(h)(8)(B)(iv).

The presence of the defendants at the status appearance of April 22, 2010, is excused.

IT IS SO ORDERED.

DATE: 3/25/10


JEREMY FOGEL
UNITED STATES DISTRICT JUDGE

STIP AND [PROPOSED] ORDER